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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 30, 2020

BY ECF and EMAIL

The Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Barry Connell, 17 Cr. 116 (VM)

Dear Judge Marrero:

The Government writes with respect to the restitution deadline in the above-referenced case. At the defendant's sentencing, the Court made clear that it would order restitution, and directed the Government to submit a proposed restitution order by April 30, 2020. (*See* Dkt. 66 at 7-8). The Court granted the parties' previous requests for an extension of the restitution deadline, which is currently July 1, 2020. (Dkt. 68, 70). The Government and defense counsel are attempting to work toward a consent restitution order but have been delayed due to the COVID-19 pandemic. In addition, the process has been delayed by health issues of defense counsel and, most recently, the defendant. The Government accordingly requests a third extension of the restitution deadline until August 3, 2020. *See Dolan v. United States*, 560 U.S. 605, 608 (2010) (court "retains the power to order restitution" after the 90-day deadline set forth in 18 U.S.C. § 3664(d)(5)); *United States v. Gushlak*, 728 F.3d 184, 191 (2d Cir. 2013) (same); *United States v. Pickett*, 612 F.3d 147, 149 (2d Cir. 2010) (same). Defense counsel consents to this request.

The request for extension is granted.

SO ORDERED.

July 1, 2020

DATE



VICTOR MARRERO, U.S.D.J.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: /s/ Won S. Shin
Won S. Shin
Assistant United States Attorney
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cc: Jesse M. Siegel, Esq.